

Entered - 12/01/00 - sb  
CL0010719 - DIANNE C. MITCHELL

01-*L*-0558

CLAIM OF: **KIRK A. STEPHENS,**  
through his insurance carrier,  
**State Farm Insurance Companies**  
**105 McIntosh Crossing**  
**Fayetteville, Georgia 30214**

For damages alleged to have been sustained as a result of a vehicular  
accident on September 9, 2000 at Hill Street and Martin Luther King,  
Jr. Drive.

THIS ADVERSED REPORT IS APPROVED

CONSENT AGENDA

BY: *Rosalind Rubens Newell*  
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

## ADVERSE REPORT

COM. *Public Safety*

DATE *4/12/01*

CH. *C. Tillman*

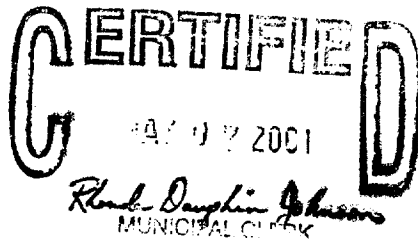
*Michael J. [Signature]*

*Clayton [Signature]*

*[Signature]*

\_\_\_\_\_

\_\_\_\_\_



ADVERSED BY  
CITY COUNCIL MAY 07 2001



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103**

May 15, 2001

State Farm Insurance Companies  
Insurance Carrier  
Attn: Adduie Perkins  
105 McIntosh Crossing  
Fayetteville, Georgia 30214

**01-R-0558**

**RE: Kirk A. Stephens**

Dear Mr. Perkins:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on May 07, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

*Rhonda Dauphin Johnson*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0719

Date: March 29, 2001

Claimant /Victim KIRK A. STEPHENS  
BY: (Ins. Co.) State Farm Insurance Companies  
Address: 105 McIntosh Crossing, Fayetteville, Georgia 30214  
Subrogation: X Claim for Property damage \$ Not Stated Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 11/28/00 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 09/09/00 Place: Hill Street and Martin Luther King, Jr. Drive  
Department Fire Division: \_\_\_\_\_  
Employee involved Rocky D. Young Disciplinary Action: None

NATURE OF CLAIM: The claimant failed to yield right-of-way to a City Fire vehicle, operating siren and lights, causing a collision. The investigation found no negligence on the part of the City driver in causing this accident.

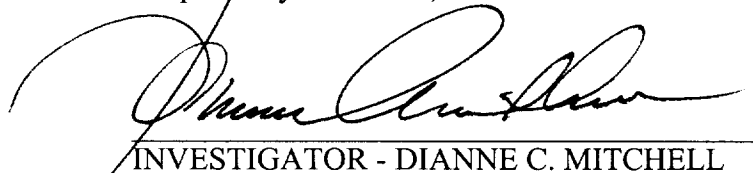
INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver X  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent X City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 03-29-01  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

# State Farm Insurance Companies



*M. P. Hull*  
*11/28/00*  
*D.M.*

State Farm Insurance Company  
105 McIntosh Crossing  
Fayetteville, Georgia 30214

September 21, 2000

**ENTERED - 12-1-00 - SB**  
**00L0719 - DIANNE MITCHELL**

City Of Atlanta Fire Dept  
1568 Jonesboro Rd  
Atlanta, GA 30315

RE: Claim Number: 11-3522-172  
Date of Loss: September 9, 2000  
Our Insured: Kirk A. Stephens

Dear Sir/Madam:

We received a report of an auto loss. Please call us at your earliest convenience to discuss this matter.

Sincerely,

Auddie Perkins  
Claim Specialist  
(770) 460-4885

State Farm Mutual Automobile Insurance Company

**01-R-0558**

President Pro Tem Bond Presided

RCS# 2838  
5/07/01  
4:44 PM

Atlanta City Council

Regular Session

CONSENT

PAGES 1 THRU 13

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0610

CONSENT

**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 00-O-0264
2. 01-O-0603
3. 01-O-0604
4. 01-O-0612
5. 01-O-0529
6. 01-O-0608
7. 01-O-0623
8. 01-O-0624
9. 01-O-0593
10. 01-O-0482
11. 01-O-0548
12. 00-O-2056
13. 01-R-0575
14. 01-R-0576
15. 01-R-0577
16. 01-R-0578
17. 01-R-0579
18. 01-R-0580
19. 01-R-0648
20. 01-R-0581
21. 01-R-0574
22. 01-R-0594
23. 01-R-0595
24. 01-R-0617
25. 01-R-0491
26. 01-R-0571
27. 01-R-0572
28. 01-R-0602
29. 01-R-0565
30. 01-R-0644
31. 01-R-0552
32. 01-R-0553
33. 01-R-0554
34. 01-R-0555
35. 01-R-0556

**ITEMS ADVERSE  
ON CONSENT AGENDA**

36. 01-R-0557
  37. 01-R-0558
  38. 01-R-0559
  39. 01-R-0560
  40. 01-R-0561
  41. 01-R-0562
  42. 01-R-0563
  43. 01-R-0564
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